

expenses, \$500. Total, \$2650. Agent at Galveston, Texas, salary, \$1500. Office rent, fuel and lights, \$300. Postage, stationery and telegraphing, \$100. Advertising, \$25. Total, \$1925. Collecting and printing statistical and other information in different languages and for purchase of maps, 3000. Total amount, \$24,825.

Pending the consideration of the substitute, the Senate, on motion of Senator Friend, stood adjourned until 10 o'clock A. M., to-morrow.

#### FORTY-FIFTH DAY.

SENATE CHAMBER, }  
AUSTIN, March 5, 1875. }

Senate met pursuant to adjournment; roll called; quorum present. Prayer by Rev. Dr. R. C. Burleson, of Waco.

Senator Hobby, for Committee on Internal Improvements, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Internal Improvements instruct me to report back to the Senate, House bill No. 775, "An act to require the Texas and Pacific Railroad Company to erect and maintain a depot at Texarkana within the limits of the State," and recommend its passage.

HOBBY, for Committee.

Senator Baker, Chairman Finance Committee, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Finance, to whom was referred Senate joint resolution No. 550, "Concerning the purchase of certain laws printed in the German language," have directed me to report the same back, and recommend that it be adopted, with the accompanying amendment: Erase after the word "printing," in eleventh line, from bottom down to third line from bottom, and insert as follows: "and the compensation to be allowed shall not exceed the sum of twelve hundred dollars." W. R. BAKER, Chairman.

Senator Wood presented a petition from citizens of Lee county, "In reference to the deficiency in the school tax." Read and referred to Committee on Education.

Senator Joseph, for Committee on Engrossed Bills, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Engrossed Bills, have carefully examined and compared Senate bill No. 740, "An act providing for expenses of extradition of criminals, under treaty between the United States of America and the United Mexican States," concluded at Mexico, December 11th, 1861; ratified May 20th, 1862, and find the same correctly engrossed. JOSEPH, for Committee.

On motion of Senator Wood, the message of His Excellency, received on yesterday, was ordered spread on the journals of to-day.

Senator Westfall offered the following resolution :

*Resolved*, That the Committee on Finance be requested to consider and report some plan for the payment of the claims of teachers of the public schools, for services rendered prior to July 30, 1873; and, also, for the claims of county superintendents, who have not been heretofore provided for. Adopted.

Senator Westfall introduced a bill, entitled, "An act to incorporate the Capitol City Savings Bank, of Austin, Texas." Read first time and referred to Committee on Judiciary.

Senator Morris introduced a joint resolution, "To dispose of furniture and matting." Read first time and referred to Committee on Public Buildings.

Senator Morris introduced a bill, entitled, "An act to amend 'an act to provide for the safe keeping of the furniture and fixtures belonging to the public halls of the Capitol, the Public Library, and to provide for the improvement of the Capitol Grounds and State Cemetery,'" approved April 29, 1874. Read first time and referred to Committee on Public Grounds.

On motion of Senator Ireland, the rules were suspended, and Senate bill No. 735, "An act to incorporate the Austin; Mineral and Western Railroad Company," was taken up, read second time and ordered engrossed.

On motion of Senator Ireland, the rules were suspended, bill read third time and passed, by the following vote :

YEAS—Senators Ball, Baker, Bradley, Burton, Camp,

Dillard, Davenport, Ellis, Erath, Flanagan, Friend, Hobby, Ireland, Joseph, Ledbetter, Morris, Parker, Randle, Russell, Stirman and Wood—21.

NAYS—Senator Bradshaw—1

Senator Ireland introduced a bill, entitled, "An act to authorize the county of Gonzales to build a bridge across Peach creek." Read first time and referred to Committee on Judiciary.

On motion of Senator Ball, the rules were suspended, and Senate bill No. 615, "An act to amend an act amendatory of and supplementary to an act, entitled, 'an act to incorporate the Pacific and Great Eastern Railway Company, of Texas,'" passed May 31, 1873, and substitute therefor "An act to amend an act amendatory of and supplemental to an act, entitled, 'an act to incorporate the Pacific and Great Eastern Railway Company,' passed May 31, 1873," was taken up. Substitute read first time and adopted.

Rules suspended, substitute read second time and ordered engrossed.

On motion of Senator Wood, the rules were suspended, substitute read third time and passed.

On motion of Senator Bradley, the rules were suspended, and Senate bill No. 761, "An act to incorporate the Tehuacana Tramway Railroad Company," was taken up, read second time and ordered engrossed.

On motion of Senator Bradley, the rules were suspended, bill read third time and passed by the following vote :

YEAS—Senators Baker, Bradley, Burton, Camp, Dillard, Davenport, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Ireland, Joseph, Randle, Russell, Stirman, Swift, Westfall and Wood—20.

NAYS—Senators Allison, Bradshaw, Morris, Moore and Parker—5.

Senator Friend introduced a bill entitled "An act to amend article 585, of the Code of Criminal Procedure." Read first time and referred to Judiciary Committee.

On motion of Senator Russell, the rules were suspended, and Senate bill No. 681, "An act prescribing the mode of service in certain cases," was taken up, read second time and ordered engrossed.

On motion of Senator Russell, the rules were suspended, bill read third time and passed.

Senator Dillard, by leave, introduced a bill entitled "An

act to provide for the disbursement of certain funds in the hands of the sheriff of Houston county." Read first time. Rules suspended, bill read second time and ordered engrossed.

On motion of Senator Dillard, the rules were suspended, bill read third time and passed.

The Governor's Private Secretary announced a message from His Excellency.

A message from the House announced the passage of the following House bills, to-wit: House bill No. 618, "An act supplemental to and amendatory of an act entitled an act supplemental to and amendatory of 'an act to establish a Code of Criminal Procedure for the State of Texas;' " approved August 26th, 1856; approved February 15th, 1858.

House bill No. 471, "An act to amend section three of an act to amend 'an act concerning common carriers and defining their liabilities in certain cases;' " approved February 4th, 1860.

Also, the following House joint resolutions, to-wit:

House joint resolution No. 63, "Joint resolution granting leave of absence to Hon. Jno. C. Easton, Judge of the Eighth Judicial District."

House joint resolution No. 62, "Joint resolution legalizing and validating the official acts of C. L. Thurmond, a Notary Public of Victoria county."

Also, the following Senate bills, to-wit: Senate bill No. 454, with House amendments, "An act to incorporate the Lamar University Association."

Senate bill No. 703, "An act to incorporate the San Antonio and Fredericksburg Narrow Gauge Railway Company;" and Senate joint resolution No. 452 (with House amendments), "Joint resolution providing for a convention to frame a constitution for the State of Texas."

On motion of Senator Stirman, the rules were suspended, and Senate bill No. 753, "An act to incorporate the Central Narrow Gauge Railroad Company, and to grant lands to aid in the construction of its road," was taken up and read second time, pending amendments by the committee. The amendments were adopted. The bill, as amended, was then ordered engrossed.

On motion of Senator Stirman, the rules were suspended, bill read third time and passed by the following vote:

YEAS—Senators Ball, Baker, Bradley, Burton, Camp

Dillard, Davenport, Dwyer, Ellis, Erath, Flanagan, Hobby, Ireland, Joseph, Ledbetter, Morris, Parker, Randle, Russell, Stirman, Swift and Wood—22.

NAYS—Senators Allison and Bradshaw—2.

On motion of Senator Parker, the message of his Excellency was taken up and read.

The message was as follows :

EXECUTIVE OFFICE, STATE OF TEXAS, )  
AUSTIN, March 5, 1875. )

*Hon. R. B. Hubbard, President of the Senate :*

SIR—I return herewith Senate bill No. 451, without my approval, and respectfully ask its re-consideration.

This is a bill incorporating the Houston, East and West Texas Railway Company, etc., and doubtless, through inadvertence, no defined time is specified within which the company shall organize. It is contrary to public policy to grant the State's franchises, except on condition that they be used within some reasonable time which should be designated. With a correction in this particular, I will be pleased to approve the bill.

Very respectfully,

RICHARD COKE.

On motion of Senator Baker, the message and original bill were referred to a select committee of three.

The President appointed as said committee, Senators Baker, Bradley and Hobby.

On motion of Senator Parker, the rules were suspended, and Senate bill No. 776, "An act to create and provide for the organization of the county of Morris," was taken up and read second time.

Senator Parker offered the following amendment : Strike out in section one, the words "on the road leading from Mount Pleasant to Jefferson," and insert the words "due east of Mount Pleasant." Adopted.

The bill, as amended, was ordered engrossed.

On motion of Senator Flanagan, the rules were suspended, bill read third time and passed by the following vote :

YEAS—Senators Allison, Ball, Baker, Burton, Camp, Ellis, Flanagan, Friend, Hobby, Ireland, Joseph, Ledbetter, Morris, Parker, Randle, Russell, Stirman and Swift—18.

NAYS—Senators Bradshaw, Dillard, Davenport, Dwyer, Moore, Westfall and Wood—7.

Senator Westfall, for Committee on Enrolled Bills, submitted the following reports :

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Enrolled Bills ask leave to report that they have carefully examined, and find correctly enrolled, the following Senate bills, to-wit : Senate bill No. 506, "An act supplemental to and amendatory of the several acts authorizing the sale and disposition of the University lands in the State of Texas." Senate bill No. 522, "An act to regulate the collection of taxes assessed in the year 1874, in that portion of the territory of Rusk county, which was attached to the county of Gregg, by an act of the Legislature," approved April 30, 1874, and Senate bill No. 635, "An act amendatory of and supplementary to 'an act to organize and incorporate the East Line and Red River Railroad Company,' " approved March 22, 1871, and of the acts passed thereafter, in relation to said company, and have this 5th day of March, 1875, at 10:45 o'clock A. M., presented the same to the Governor for his approval.

W. H. WESTFALL, for Committee.

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Enrolled Bills ask leave to report that they have carefully examined, and find correctly enrolled, Senate bill No. 616, "An act to incorporate the Red River and Rio Grande Railway Company, and to authorize the building of branches thereto, and to grant lands to aid in the construction thereof," and have this 5th day of March, 1875, at 10:45 o'clock, A. M. presented the same to the Governor for his approval.

W. H. WESTFALL, for Committee.

The unfinished business being the consideration of Senate bill No. 749, "An act to make appropriations for the support of the State government, for the fiscal year beginning September 1, 1875, and ending August 31, 1876," it was taken up, pending a substitute offered by Senator Dwyer on yesterday, to the immigration department. The substitute was lost by the following vote :

YEAS—Senators Baker, Dwyer, Ellis, Friend, Ireland, Joseph, Ledbetter, Randle, Russell and Westfall—10.

NAYS—Senators Allison, Ball, Bradshaw, Bradley, Bur-

ton, Camp, Dillard, Davenport, Erath, Flanagan, Hobby, Morris, Moore, Parker, Stirman, Swift and Wood—17.

Senator Dwyer offered the following amendment: Amend line 5, page 9, on frontier protection, by striking out "\$150,000" and insert in lieu thereof "\$250,000." Lost by the following vote:

YEAS—Senators Dwyer, Ellis, Flanagan, Friend, Ireland, Joseph, Ledbetter, Randle, Russell and Westfall—10.

NAYS—Senators Allison, Ball, Baker, Bradshaw, Bradley, Burton, Camp, Dillard, Davenport, Erath, Hobby, Morris, Moore, Parker, Stirman, Swift and Wood—18.

Senator Dwyer offered the following amendment: Amend Judiciary Department, lines 16, 17 and 18, page 3, by striking out appropriation of \$17,500, for payment of salaries of Criminal Judges, at Galveston, Sherman, Waco, Paris and Jefferson. Lost by the following vote:

YEAS—Senators Bradley, Dillard, Dwyer, Friend, Morris, Parker, Randle, Russell and Swift—9.

NAYS—Senators Allison, Ball, Baker, Bradshaw, Burton, Camp, Davenport, Ellis, Erath, Flanagan, Hobby, Ireland, Joseph, Ledbetter, Moore, Stirman, Westfall and Wood—18.

Senator Baker offered the following amendment: In page 3, line 26, erase \$1000 and insert \$1200. Adopted.

Senator Wood offered the following amendment: Strike out fourth line on 9th page. Adopted.

Senator Ellis offered the following amendment: Amend by adding "For defraying expenses of quarantine on the coast of Texas, \$10,000." Adopted by the following vote:

YEAS—Senators Baker, Camp, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Ireland, Joseph, Ledbetter, Morris, Parker, Russell, Stirman and Westfall—16.

NAYS—Senators Allison, Ball, Bradshaw, Bradley, Burton, Dillard, Davenport, Moore, Swift and Wood—10.

Senator Flanagan offered the following amendment: In the Treasury Department, in regard to postage, strike out "\$50," and insert "\$150." Adopted.

Senator Ball offered the following amendment: Between line one and ten of Treasury Department, insert "For Assistant Clerk, \$1200." Adopted.

Senator Erath offered the following amendment: In line 8, under head of "General Land Office," strike out "\$1200 and insert \$1400."

Senator Flanagan moved to amend the amendment by inserting "\$1500." Lost

The question then recurring on the adoption of the amendment offered by Senator Erath, it was adopted by the following vote :

YEAS—Senators Ball, Burton, Dwyer, Erath, Flanagan, Friend, Hobby, Joseph, Ledbetter, Morris, Moore, Parker, Randle and Russell—14.

NAYS—Senators Allison, Baker, Bradshaw, Bradley, Camp, Dillard, Davenport, Ellis, Ireland, Stirman, Swift, Westfall and Wood—13.

Senator Russell offered the following amendment :

Strike out “\$150,000” for frontier protection, and insert “\$200,000.” Lost, by the following vote :

YEAS—Senators Ball, Dwyer, Ellis, Flanagan, Ireland, Joseph, Ledbetter, Randle, Russell and Westfall—10.

NAYS—Senators Allison, Baker, Bradshaw, Bradley, Burton, Camp, Dillard, Davenport, Erath, Friend, Morris, Moore, Parker, Stirman, Swift and Wood—17.

Senator Friend offered the following amendment :

Amend General Land Office clause, in line 18, by striking out “four,” and inserting “eight.” Lost.

Senator Moore moved the previous question. Previous question ordered.

The bill as amended, was then ordered engrossed, by the following vote :

YEAS—Senators Allison, Ball, Baker, Bradshaw, Bradley, Burton, Camp, Dillard, Davenport, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Ireland, Joseph, Ledbetter, Morris, Moore, Parker, Randle, Russell, Stirman, Swift, Westfall and Wood—27.

NAYS—None.

Senator Joseph moved to re-consider the vote passing the bill to engrossment.

On motion of Senator Davenport, the motion to re-consider was laid on the table.

On motion of Senator Flanagan, the rules were suspended and bill read third time.

Senator Joseph offered the following amendment : For Spanish translator, strike out “\$1500,” and insert “\$1800.” Lost.

The bill, as amended, then passed by the following vote :

YEAS—Senators Allison, Ball, Baker, Bradshaw, Bradley, Burton, Camp, Dillard, Davenport, Dwyer, Ellis, Erath, Flanagan, Hobby, Ireland, Joseph, Ledbetter,

Morris, Moore, Parker, Randle, Stirman Swift, Westfall and Wood—25.

NAYS—None.

Senator Westfall introduced a joint resolution, "Authorizing the appointee in charge of the Capitol and grounds, to contract for a supply of water for the protection of the Capitol buildings and grounds," Read first time and referred to Committee on Public Grounds.

On motion of Senator Wood, the Senate adjourned until 3 o'clock P. M. this evening.

### — — — EVENING SESSION.

Senate met pursuant to adjournment. Roll called; no quorum present.

The Sergeant-at-arms was dispatched for absent Senators. A quorum was announced as being present.

Senator Ireland, Chairman, Judiciary Committee, submitted the following reports:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Judiciary, to whom was referred Senate bill No. 787, "An act to authorize the county of Gonzales to issue bonds to build a bridge across Peach creek," instruct me to report the same back, and recommend its passage.

IRELAND, Chairman.

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Judiciary, to whom was referred House bill No. 816, "An act concerning litigation with the railroad company which is now known as the 'New Orleans, Mobile and Texas Railroad Company,'" and instruct me to report said bill back and recommend its passage.

IRELAND, Chairman.

On motion of Senator Ireland, the rules were suspended, and Senate bill No. 787, "An act to authorize the county of Gonzales to issue bonds to build a bridge," was taken up, read second time and ordered engrossed.

On motion of Senator Flanagan, the rules were suspended, bill read third time and passed.

On motion of Senator Westfall, the rules were suspended, and House bill No. 770, "An act to amend section

four of an act entitled, 'an act to incorporate the Austin and Pacific Short Line Railroad Company,' " passed May 30, 1873, was taken up, and read first time.

On motion of Senator Westfall, the rules were suspended, and bill read second time.

Senator Moore offered the following amendment: Strike out the word "two" before the word "years," and insert "one year." Lost.

The bill then passed to third reading.

On motion of Senator Westfall, the rules were suspended, bill read third time and passed.

On motion of Senator Davenport, the rules were suspended, and Senate joint resolution No. 452, "Providing for a convention to frame a constitution for the State of Texas," with an amendment by the House, was taken up.

Senator Davenport moved that the Senate concur in House amendment.

Senator Bradley moved the bill be referred to Committee on Constitutional Amendments. Adopted, by the following vote:

YEAS—Senators' Allison, Baker, Bradley, Camp, Dillard, Ellis, Friend, Ireland, Ledbetter, Morris, Parker, Swift, Westfall and Wood—14.

NAYS—Senators Ball, Bradshaw, Burton, Davenport, Dwyer, Erath, Flanagan, Hobbv, Joseph, Moore, Randle and Stirman—12.

On motion of Senator Stirman, the rules were suspended, and Senate bill No. 769, "An act for the relief of H. C. Hunt and George W. Whitmore," was taken up, read second time and ordered engrossed.

On motion of Senator Camp, the rules were suspended, bill read third time and passed.

A message was received from the House announcing the passage of Senate bill No. 478, "An act to regulate the removal and establishment of county seats," with House amendments.

Also, that the House concurs in Senate amendment to House bill No. 776, "To create and provide for the organization of the county of Morris."

Also, the passage of House bill No. 833, "An act supplementary to an act entitled 'an act to incorporate the Red River and Rio Grande Railway Company, and to authorize the building of branches thereto, and to grant lands to aid in the construction thereof.'"

On motion of Senator Hobby, the rules were suspended, and Senate bill No. 810, "An act concerning litigation with the railroad company, which is now known as the 'New Orleans, Mobile and Texas Railroad Company,'" etc., was taken up and read second time.

Senator Hobby offered the following amendment :

Amend by striking out of second section, line 19, all after the word "have" down to the word "and," in thirteenth line, same section, and insert in lieu thereof the following, to-wit: "Commenced the work of repairing and re-building their road bed, grade and bridges on their chartered line from Houston to the Sabine river; then the Governor being satisfied from the report of engineers or otherwise, that the company have begun work, and being so satisfied from time to time, that said work is progressing without unnecessary delay, said company are to have until the first day of May, 1876, within which to complete their road bed, grade and bridges, on the whole line from Houston to the Sabine river; and no suit shall be brought during said time unless said company shall fail to continue the work of re-building and repairing; *provided*, that if after beginning work, the company proceed without unnecessary delay, the Governor is vested with the discretion of extending the period for the completion of said work, a short period after the first of May, 1876, upon the satisfactory report or showing of the unavoidable cause or causes necessitating such delay or delays. That if by said first of May, 1876, the company shall have completed their road bed, grade and bridges, and shall have said road ready for the cross ties and iron, then the company are to have such additional time as may be agreed on by and between the Governor and said company, not later than the first of December, 1876, within which to lay down the cross ties and iron, and to equip and begin operating said road.

If by the first of May, 1876, said company shall have completed their road bed, grade and bridges, as above provided, and shall have at the expiration of the time thereafter agreed upon by said company and the Governor, completed, equipped and begun operating said road its entire length from the city of Houston to the Sabine river, then no suit shall be instituted under this act or any general law by the State of Texas, for any acts or omissions heretofore done." Adopted.

The bill, as amended, then passed to third reading.

On motion of Senator Flanagan, the rules were suspended, bill read third time and passed.

On motion of Senator Parker, the rules were suspended and Senate bill No. 698, "An act to incorporate the Hockley and Montgomery Railroad Company," was taken up and read second time, pending amendments by the committee.

The amendments were adopted. The bill, as amended, was then ordered engrossed.

On motion of Senator Parker, the rules were suspended, bill read third time and passed, by the following vote:

YEAS—Senators Ball, Baker, Burton, Camp, Dillard, Davenport, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Ireland, Joseph, Ledbetter, Morris, Randle, Stirman, Swift, Westfall and Wood—21.

NAYS—Senators Allison Bradshaw and Moore—3.

(Senator Wood in the chair.)

On motion of Senator Allison, the rules were suspended and House bill No. 675, "An act to authorize the county court of Collin county to issue bonds," was taken up, pending a veto message from His Excellency.

The question being, "shall the bill pass, notwithstanding the objections of the Governor?" it failed to pass by the following vote:

YEAS—Senators Allison, Ball, Burton, Dwyer, Flanagan, Joseph, Ledbetter, Morris, Randle, Stirman and Westfall—11.

NAYS—Senators Baker, Bradshaw, Bradley, Camp, Dillard, Davenport, Ellis, Erath, Friend, Hobby, Moore, Parker, Swift and Wood—14.

On motion of Senator Randle, the rules were suspended and Senate bill No. 664, "An act to incorporate the Colorado River Railroad and Slackwater Navigation Company, and to aid in construction of the same," was taken up and read second time.

Senator Ball offered the following amendment: Amend by inserting after the word "section," line 36, page 8, the following words: "*provided*, that when said railroad, or any portion thereof, shall have been built, there shall then be no public lands of the State exclusive of that set apart for the benefit of the school funds; then, and in that case, the State of Texas shall be in no manner liable to said company on that account." Adopted.

Senator Flanagan offered the following amendment: Strike out "railroad," wherever it occurs. Strike out all of section 3, after the word "navigation," in line 17. Strike out section four. Strike out "railroad" in caption. Adopted.

(President in the chair.)

Senator Swift offered the following amendment:

"*Provided*, that whenever in the said Colorado river said company shall erect a dam, they shall also provide sufficient and necessary fish ladders, so as not in any way to obstruct the ascent of fish up said river." Adopted.

The bill, as amended, was then ordered engrossed.

On motion of Senator Randle, the rules were suspended, bill read third time, and the Senate refused to pass the bill by the following vote; it requires a two-thirds vote:

YEAS—Senators Ball, Baker, Burton, Dwyer, Erath, Flanagan, Friend, Ireland, Joseph, Ledbetter, Morris, Randle and Westfall—13.

NAYS—Senators Bradshaw, Bradley, Camp, Dillard, Davenport, Ellis, Hobby, Moore, Parker, Stirman, Swift and Wood—13.

On motion of Senator Wood, the rules were suspended, and House bill No. 630, "An act regulating the government of the Agricultural and Mechanical College of Texas," was taken up and read first time.

Rules suspended, bill read second time.

Senator Wood offered the following amendment: Amend by inserting after the word "Governor," in second line of first section of the bill, the words "Lieutenant Governor, Speaker of the House of Representatives." Adopted.

The bill, as amended, then passed to third reading.

On motion of Senator Wood, the rules were suspended, bill read third time and passed.

Senator Friend gave notice that he would move a re-consideration of the vote, by which the Senate refused to pass House bill No. 675, "An act to authorize the county court of Collin to issue bonds," over the veto of his Excellency, the Governor.

A message from the House announced the passage of the following House bill, to-wit: House bill No. 727, "An act to incorporate the Longview and Texarkana Air Line Railway Company," and the following Senate bills, to-wit: Senate bill No. 676, (with House amendments) "An act

for the relief of the scholastic census takers for the years 1871, 1872 and 1873." Senate bill No. 747, "An act to incorporate the Brazos Valley Narrow Gauge Railway Company, and to grant lands in aid of the construction of the same." Senate bill No. 733, "An act supplemental to and amendatory of 'an act to establish a Criminal Court in the cities of Waco and Marlin.'" Senate bill No. 743, "An act to amend sections two and eleven of 'an act to incorporate the Beaumont, Corsicana and Fort Worth Railroad Company,'" passed May 29th, 1873. Senate bill No. 656, "An act to create and provide for the organization of the county of Franklin."

Senate bill No. 566, "An act to encourage the construction of canals and ditches for navigation and irrigation."

Senate bill No. 453, "An act to amend section eight of an act entitled 'an act to authorize the county court of Lamar county to contract for the building of a courthouse and jail in said county, and to issue and sell the bonds of the county for that purpose,'" passed April 28th, 1873.

Also, House bill No. 659, "An act to amend an act entitled 'an act to attach the county of Waller to the Thirteenth Senatorial District,'" approved April 14th, 1874.

Also, that House concurs in Senate amendment to House bill No. 776, "To create and provide for the organization of the county of Morris;" and House bill No. 259, "To appoint trustees to take charge of property bequeathed to the State of Texas for certain purposes, by Oscar L. Holmes, and to carry into effect said bequest."

The following House bills were taken up, read first time and referred:

House bill No. 788, "An act to incorporate the Brazos Santiago and Rio Grande Canal Company, and to aid in the construction of the same." Referred to Committee on Internal Improvements.

House bill No. 687, "An act in relation to holding a justices' court in the town of Terrell, in Kaufman county." Read first time and referred to Judiciary Committee.

House bill No. 822, "An act to further define legal holidays in Texas." Read first time and referred to Committee on State Affairs.

House bill No. 755, "An act to amend section ten of an act entitled 'an act to define the Tenth Judicial District of the State of Texas, and to prescribe the time for the hold-

ing the courts therein," approved March 5th, 1874, to Judiciary Committee.

House bill No. 719, "An act making an appropriation to pay the commissioners appointed to appraise the alternate sections of land as surveyed by railroad companies, and set apart for common schools," to Judiciary Committee.

House bill No. 543, "An act to amend an act approved February 6, 1871, the same being 'an act to amend the thirty-fourth and thirty-sixth sections of an act,' entitled, 'an act prescribing the times of holding the district courts in the several Judicial Districts in the State,' approved August 10, 1870," to Judiciary Committee.

House bill No. 769, "An act supplemental to and amendatory of an act entitled, an act to amend an act, approved April 22, 1874, entitled an act to repeal an act entitled, 'an act to authorize counties, cities and towns to aid in the construction of railroads and other works of internal improvement,'" passed April 12, 1871, to Committee on Internal Improvements.

House bill No. 813, "An act to perfect the organization of the county of Presidio," to Committee on Judiciary.

House bill No. 618, "An act supplemental to and amendatory of an act entitled an act supplemental to and amendatory of 'an act to establish a Code of Criminal Procedure for the State of Texas,'" approved August 26, 1856; approved February 15, 1858, to Committee on Judiciary.

House joint resolution No. 63, "Granting leave of absence to Hon. John C. Easton, Judge of the Eighth Judicial District," to Committee on Judiciary.

House joint resolution No. 62, "Legalizing and validating the official acts of C. L. Thurmond, a Notary Public of Victoria county," to Committee on Judiciary.

House bill No. 471, "An act to amend section three of an act to amend 'an act concerning common carriers, and defining their liabilities in certain cases,'" approved February 4, 1860, to Committee on Judiciary.

Senator Parker offered the following resolution:

*Resolved*, That in evening sessions, the Secretary shall call the names of Senators as they appear on the roll, and that each Senator shall have the right to call up one bill, when his name is called. Read and laid over under the rules.

On motion of Senator Hobby, the Senate adjourned until 10 o'clock A. M., to-morrow.

## FORTY-SIXTH DAY.

SENATE CHAMBER.  
AUSTIN, March 6, 1875.

Senate met pursuant to adjournment; roll called; quorum present. Prayer by Rev. Rufus C. Burleson, of Waco.

Senator Hobby, for Committee on Constitutional Amendments, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Constitutional Amendments, to whom was referred Senate joint resolution No. 452, "Providing for a convention to frame a constitution for the State of Texas," with House amendment thereto, have considered the same, and a majority of your committee instruct me to report the joint resolution and House amendments back to the Senate, and recommend that the Senate concur in the first amendment proposed by the House, striking out the words in line 3, section 4, "shall be a general election," and a majority of said committee, also recommend that the Senate concur in the second amendment proposed by the House, striking out the words "general election" in line 5, sections 4; and a majority of your committee further instruct me to recommend that the Senate do not concur in the third amendment proposed by the House.

HOBBY, for Committee.

Senator Bradley, from Committee on Constitutional Amendments, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

A minority of your Committee on Constitutional Amendments respectfully recommend that the Senate do not concur in the amendment made by the House of Representatives to Senate joint resolution No. 452, by which said amendment the clause in said joint resolution leaving the question of calling a State constitutional convention to the vote of the people of the State is stricken out, for the following reasons:

First—We believe it a matter of serious doubt whether a majority of the people of the State are, under the pre-